

CYRULI SHANKS

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December 6, 2022

Via ECF

The Honorable Kenneth M. Karas
United States District Court
300 Quarropas St.
White Plains, NY 10601-4150

Re: Securities and Exchange Commission v. Edward Bronson,
E-Lionheart Associates, LLC d/b/a Fairhills Capital and
Fairhills Capital, Inc.
Case no. 12-CV-6421 (KMK)

Dear Honorable Judge Karas:

We represent non-party witness Bruce Bent in connection with the Court's November 4, 2022 order regarding an evidentiary hearing on December 12, 2022 in this matter and which requires Mr. Bent to appear in person at the hearing. Mr. Bent is a Canadian citizen who currently resides in Dallas, Texas. We are writing to request that Mr. Bent be allowed to appear at the hearing remotely, either telephonically or via video connection.

As a non-party, Mr. Bent has had no involvement in the underlying matter and is not even aware of why he has been requested to appear and testify at the hearing. Appearing in person would be burdensome on Mr. Bent in terms of cost, time and effort, and would require that he travel to New York from Dallas during a weekend, stay at least one night in New York and be away from his business for at least two business days.

Notably, while Plaintiff Securities and Exchange Commission did serve document subpoenas on Mr. Bent regarding payments made by him or his affiliated entities, which were complied with in full, his knowledge is limited to just those payments reflected in the documents produced. Thus, it is respectfully submitted that the Plaintiff will not be prejudiced if he testifies about such payments remotely.

If the Court grants this request, I can be physically present in Court on December 12, 2022, if that would make Mr. Bent's remote appearance more feasible for the Court.

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Therefore, it is respectfully requested that the Court permit Mr. Bent to appear at the December 12, 2022 hearing remotely, either telephonically or via video connection.

Respectfully submitted,

/s/ Paul Goodman
Paul Goodman

cc: Counsel for all parties (via ECF)

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